

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

McCABE, WEISBERG & CONWAY, LLC

By: Marisa M. Cohen, Esq. (Atty.

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Attorneys for Movant: Citizens Bank of
Pennsylvania

IN re:

Angelina Redding
Debtor/Respondent

John G Redding
Co-Debtor/Respondent

Case No.: 17-20852-JNP

Chapter: 13

Judge: Jerrold N. Poslusny Jr.

**CERTIFICATION OF COUNSEL
IN SUPPORT OF MOTION FOR RELIEF FROM AUTOMATIC STAY
PURSUANT TO 11. U.S.C. §362**

The undersigned, attorney for Movant, Citizens Bank of Pennsylvania, does hereby certify:

1. I am an attorney at law of the State of New Jersey and an associate with the law firm of McCabe, Weisberg & Conway, LLC.
2. Movant is Citizens Bank of Pennsylvania.
3. Debtor and Co-Debtor are the owners of premises, hereinafter known as the mortgaged premises, located at: 315 West Wildwood Avenue, Wildwood, New Jersey 08260.
4. Respondent, John G Redding, is a co-debtor with regard to the aforementioned mortgage and is a joint owner of the Premises along with Debtor. John G Redding is a co-debtor liable for the debt described herein and a Co-Debtor within the meaning of 11 USC. Section 1301. Co-Debtor received consideration for the claim held by Movant.

5. Movant is a secured creditor of the Debtor as evidenced by a certain note (the "Note"), in the principal amount of \$50,000.00, executed on May 31, 2006. Pursuant to the Note, the Debtor is currently required to make monthly payments in the amount of \$387.34.

6. Debtor filed the instant Chapter 13 case on May 26, 2017.

7. Movant is the holder of a mortgage which is a Second lien on the mortgaged premises. A copy of said mortgage is attached hereto.

8. Movant has instituted or wishes to institute foreclosure proceedings on the mortgage because of Debtor's and Co-Debtor's failure to make the monthly payments required thereunder.

9. The foreclosure proceedings filed or to be instituted were stayed by the filing of the instant Chapter 13 Petition.

10. Debtor and Co-Debtor have failed to make payments to discharge the arrearages on said mortgage and/or have failed to make the current monthly payments on said mortgage since the filing of the Chapter 13 Petition. Such defaults include failure to make payments as shown in the Certification of Post-Petition Payment History submitted herewith.

11. Movant is entitled to relief from the automatic stay Section 362(A) of the code because of the foregoing default and because (a) adequate protection of the interest of Movant is lacking; and (b) Debtor has inconsequential or no equity in the premises, which is not necessary to an effective reorganization or plan.

12. Movant is entitled to relief from the co-debtor stay under Section 1301 of the code because of the post-petition default and because (a) adequate protection of the interest of Movant is lacking; and/or (b) Co-Debtor has inconsequential or no equity in the premises; and/or (c) Movant's interest would be irreparably harmed by continuing the co-debtor stay.

13. Movant requests relief from the stay for cause to allow Movant to proceed with its state law remedies up to and including eviction proceedings.

14. I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Date: October 24, 2019

McCABE, WEISBERG & CONWAY, LLC

/s/ Marisa M. Cohen
Marisa M. Cohen, Esquire